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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Office of the Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: **Champlain Valley Telecasting, Inc.**  
**Submission of Information Regarding Television LMAs**  
**MM Docket Nos. 91-221, 87-8, 94-150, 92-51, and 87-154**

Ladies and Gentlemen:

In Public Notice DA 97-1246, released June 17, 1997 (the "Notice"), the Commission requested that parties to all existing television local marketing agreements ("LMAs") provide certain factual information regarding the terms and characteristics of these agreements. The Notice lists nine items of information that must be submitted.

Champlain Valley Telecasting, Inc. is party to an LMA with Heritage Media Corporation. The following outline addresses each of the items of information requested in the notice.

1. Stations, Licensee, Call Letters, Channel Number and Community of License

a. Brokered Station: WFFF(TV)

1. Licensee: Champlain Valley Telecasting, Inc. ("Champlain Valley")
2. Call Letters: WFFF(TV)
3. Channel Number: Channel 44
4. Community of License: Burlington, Vermont

b. Brokering Station

1. Licensee: Heritage Media Corporation ("Heritage")
2. Call Letters: WPTZ-TV
3. Channel Number: Channel 5
4. Community of License: Plattsburgh, New York

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2. Name and Rank of the Nielsen Designated Market Areas

Burlington, Vermont - Plattsburgh, New York      Rank #91

3. Construction of WFFF(TV) is not yet complete. However, when WFFF(TV) begins broadcasting, it will have City Grade contour overlap with WPTZ-TV. Pending receipt of the necessary land use consents to operate from the site designated in its construction permit, Mt. Mansfield, Vermont, the Commission has authorized WFFF(TV) to operate pursuant to a grant of Special Temporary Authority from the WPTZ-TV tower in upstate New York.

4. Date of LMA: August 3, 1995.

5. Terms of the LMA

- a. The start and end dates of the initial term are as follows:  
Commencement of broadcasting pursuant to program test authority to April 1, 1999.
- b. The LMA automatically renews for two renewal terms of five years each unless the LMA is terminated by Heritage upon 180 days notice to the Champlain Valley prior to the expiration of the initial term or any renewal term.

6. Percentage of Brokered Station's Weekly Broadcast Hours that is Brokered to the Brokering Station

Heritage will provide programming for substantially all of the brokered station's broadcast day on a daily basis throughout the year. However, the licensee of the brokered station has the obligation to ascertain that programming responds to the needs and concerns of the community of license and has the right to preempt the brokering station's programming as is necessary to broadcast its own programming which is responsive to issues of concern to the communities of license. Furthermore, the licensee of the brokered station may preempt or delete any programming of Heritage which it believes is unsuitable or contrary to the public interest and may substitute programming which, in its opinion, is of greater local or national importance.

7. The brokered station, WFFF(TV), is expected to be affiliated with Fox.  
The brokering station, WPTZ-TV, is affiliated with NBC.

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8. The reported Nielsen all-day audience shares (measuring 9 a.m. through 11 p.m.) for the last three most recent rating periods were as follows:

	<u>Nov.-96</u>	<u>Feb.-97</u>	<u>May-97</u>
WFFF(TV) (brokered)*	0	0	0
WPTZ-TV (brokering)	16.0	16.0	16.0

### 9. Public Interest Benefits

Champlain Valley's LMA with Heritage has advanced the public interest by making addition of a new commercial voice to an underserved market a reality. When Champlain Valley was first awarded the construction permit for WFFF(TV) in 1991, the economy had taken a turn for the worse and start-up UHF facilities were generally not viable. Accordingly, Champlain Valley considered a number of options. First, it conducted an exhaustive search for business partners who might be willing to share the risks of the venture. Champlain Valley discussed such a relationship with numerous parties, but was unable to identify any reasonable prospect. In addition to the generally unfavorable economic climate, Champlain Valley had been unable to obtain a transmitter site on Mt. Mansfield, where two of the three commercial stations in the market were located. The Canadian TV Authority stood in the way and numerous local land use consents had to be obtained. The absence of a technically competitive site was cited by several prospects as a primary reason for passing on the project. Champlain Valley also retained a nationally recognized media broker to explore sale of its construction permit. The broker listed the construction permit for more than a year but was unable to deliver a serious offer.

In mid-1995, Champlain Valley began discussions with Heritage which, on August 5, 1995, resulted in agreements which made possible construction of the station. As Champlain Valley's LMA partner, Heritage has provided essential resources and support throughout what has proved to be an extraordinarily difficult construction process. Champlain Valley has faced numerous unforeseen difficulties in obtaining the necessary land use approvals to build on Mount Mansfield, Vermont, the site specified in its construction permit. The process has involved extended dealings with the Mount Mansfield Colocation Association and state environmental authorities, filing multiple requests for extensions of time to construct, securing Special Temporary Authority to initiate service from a temporary site, and mounting a legislative strategy in the Vermont Senate to cause action on Champlain Valley's land use applications. The

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\* Station not yet on the air

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temporary site is, in fact, the WPTZ-TV tower. Commencement of service would have been further delayed had this site not been made available by Heritage. Champlain Valley could not have sustained these efforts without the invaluable support of Heritage.

As a result of the LMA between Champlain Valley and Heritage, the underserved Burlington-Plattsburgh market will soon have a new broadcast voice. Construction of the facility is nearing completion and the station is expected to begin broadcast operations next month. WFFF(TV) will bring the fourth commercial over-the-air service to the market. Additionally, it is expected to bring the first over-the-air Fox service to Burlington-Plattsburgh, the ninety-first ranked television market, and the largest market in the nation not currently served by a Fox affiliate. Plans also call for the initiation of a local news service in the near future -- the first 10 p.m. newscast in the market -- which would not be possible without the resources of Heritage.

Kindly direct any questions regarding this submission to the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard J. Bodorff', with a stylized, looping flourish at the end.

Richard J. Bodorff

cc: John Nichols  
Tom Davidson